



Lamoine Board of Selectmen

Draft

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Minutes of June 20, 2013

Chair Jo Cooper called the meeting to order at 7:02 PM.

Present were: Selectmen Nathan Mason, Cynthia Donaldson, Bernie Johnson, Gary McFarland, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Code Enforcement Officer Michael Jordan, Conservation Commission member Carol Korty, Town Clerk Jennifer Kovacs, Steve Roiphe and Jeffrey Lamont.

Agenda Review – No changes to the printed agenda and addendum were proposed.

Minutes of June 5, 2013 – Cynthia moved to approve the minutes as written. Bernie 2nd. **Vote in favor was 3-0** (Cooper, McFarland abstained, this was the Hodgkins Scholarship subcommittee meeting)

Minutes of June 6, 2013 – An attribution error and a name left off the attendance were submitted for correction. Jo moved to approve the minutes as corrected. Gary 2nd. **Vote in favor was 4-0 (Mason abstained)**

Expenditure Warrant 25 – Selectmen signed warrant 25 in the amount of \$222,873.34. Stu noted that approximately \$200,000 of the warrant was for RSU 24.

Cash & Budget Report – Gary noted that excise was trending slightly ahead for the fiscal year. Cynthia asked if all the legal bills were included in the report. Stu said they are up to date so far. Nathan asked how often the fire hoses are tested. Stu replied they are required to be tested annually.

Encumbrance Order – Stu read down the various items under which a request for encumbrance was contained in the order. Jo moved to approve the order, Gary 2nd. **Vote in favor was 5-0, Selectmen signed the order.**

Fire Department Loan – Stu noted that a spreadsheet was prepared for the loan offers received. He said that some banks had requested the town to obtain the opinion of bond counsel, and he added \$2,000 on for that requirement. Jo moved to award the loan to The First, N.A. Gary 2nd. Cynthia noted that the recommendation is coming from the Selectmen and that Stu's wife is employed by The First. **Vote in favor was 5-0.**

Appointments – Jo reported she spoke with John Holt and he would like to continue serving on the Planning Board, and she moved to reappoint him. Gary asked if the Selectmen had spoken with Richard McMullen. Cynthia 2nd the nomination of Mr. Holt. **Vote was 2 in favor (Donaldson, Cooper) 2 opposed (Johnson, McFarland) and Mason abstained.**

Carol Korty asked who the other person under consideration was. Jo answered Richard McMullen. She said it has been tradition to reappoint if the current appointee wished to be reappointed. She said the board had not been sure about Mr. Holt's ambitions.

Bernie said there were two people interested in the position. He said he thought that maybe the vote would be between the two of them. Jo said she had a concern that there would have to be a good reason not to reappoint and listed several reasons that would be cause. She said none of those have occurred, and there is no reason not to reappoint Mr. Holt. Gary said he would like the board to talk with Richard. He said he was not saying there was any misconduct on the other party's part

Stu noted that the Planning Board meets next on July 2, 2013. He said the Selectmen could schedule a special meeting prior to that time. Jo said there is a big list of positions in town, and asked that if there are two names interested in a position, would the Selectmen generally interview both parties. Gary said it's the first time this has happened since he was elected. Cynthia also noted that this has not happened before. Michael Jordan said it's permissible for anyone to put their name in, and the Selectmen can treat it as a vote on who they would want or not want. Jo said she would like to see a decision based on something. Carol Korty said she was not aware that someone could put their name in to knock someone else off a board. Jo said if one is interested in serving on a board, they can put their name in, but she's not sure what decision is based on. Gary said he felt the board owed it to the person who wants to serve on a board to hear what they have to say.

Cynthia said the Selectmen solved the Budget Committee dilemma by naming two alternate members. She said it didn't occur to her to talk with them. Jo said her concern was to have good people serving on boards, whether or not she agrees or disagrees with them.

Gary said he would like to wrap this up prior to June 30th. He moved to set a date to meet with Mr. McMullen. There was no 2nd.

Bernie said he saw Mr. McMullen in the store and asked if he was interested in the Planning Board position and he seemed to be. He said it's nice to see a young person involved with the town. Stu cautioned the board not to base its decision on age.

Nathan said he has only spoken with Mr. Holt at meetings and doesn't know either one of the two candidates. He said he thinks any appointed position should be an interviewed on. Jo said she did not see a reason not to reappoint Mr. Holt if one does not agree with him politically. A discussion followed on potential interviews.

Bernie said he would like to interview both candidates, not just Mr. McMullen. Nate said he would second the motion from Gary if it included both candidates. He said he's had very limited interaction with both candidates. Gary said he had no objection to the motion. Ms. Korty said she understood why the Selectmen would want to talk with candidates and strongly recommended always conducting an interview. Nathan said he was surprised that it hadn't been done before. A brief discussion followed. **Vote in favor of setting a date to talk with both Mr. McMullen and Mr. Holt was 3-2 (Cooper, Donaldson opposed).**

Education Planning Committee – Cynthia asked if the previous vote means that anyone coming up for an appointment should be interviewed. A brief discussion followed.

Stu outlined the order he drafted to establish the Education Planning Committee. Selectmen felt that references to the committee acting as a school board should the vote succeed should not be included. Nathan asked to find out how the Town of Cherryfield was able to quickly elect a school board after the final withdrawal vote. Jo asked if a school committee could run in advance.

The board discussed what information the committee should gather. Jo moved to pass the order, provided the language referring to the acting school committee was removed. Gary 2nd. **Vote in favor was 5-0.** Following a brief re-draft, selectmen signed the order.

Appointments to Education Planning Committee – There was a brief discussion as to whether the five people contacted should be interviewed prior to appointment. Nathan was asked if he was willing to serve on the committee. He said he would give it a try, though time is tight for him in August. Jo asked if there was any objection to making the appointments at this meeting. She said the word has gone out and the five candidates have been asked individually if they would serve. She said it would not preclude others from coming forward. No objection was noted. Jo moved to appoint Robin Veysey, Robert Pulver, Nathan Mason, Frederick Cahn and Jon VanAmringe to the Education Planning Committee. Cynthia said she was uncomfortable, saying she didn't know how appointments can be made in one instance and interviews are required in another. Bernie said the difference was that the previous discussion had to pare the field down to one, where there are five positions and five candidates for this board. **Vote in favor was 3-1 (Donaldson opposed, Mason abstained).**

Cynthia said this is setting a new precedent and asked if she had to sign the appointment papers. Stu said she did not, provided a majority of the board signs them. Cynthia noted that she does not oppose the appointees, she just questioned the process.

Other appointments – Stu noted that Kathleen Salkaln and Russell Boynton Jr. had offered to serve on the Local School Advisory Committee and Parks Commission respectively. He said there is a concern that Mr. Boynton serving on the Parks Commission could create a conflict as the parks commission also hires him to haul trash from the parks. Selectmen asked Stu to invite both to the meeting to interview the Planning Board candidates.

Request for a Town Meeting – Stu said he has not spoken with Perry Fowler recently about the request, but understood he was circulating a petition asking for a special town meeting to vote on an alternative gravel ordinance. He said the Planning Board discussed the gravel ordinance issue last evening and the minutes are with the Selectmen this evening.

Jo said she is reluctant to move forward with a special town meeting. Cynthia said Mr. Fowler brought forward the request, and he could meet with the Selectmen if he wished to discuss it further. No action was taken on the request.

Planning Board/Gravel Ordinance – Bernie said he was curious about the mood of the meeting, and whether any ideas were shared. He said in reading the minutes that Mr. Fowler seemed encouraged by the discussion. Michael Jordan said that's about 75% correct – though he didn't seem encouraged, he felt the discussion was better than expected. Gary asked if that meant there was interaction between the pit owners and the Planning Board. Mr. Jordan said he was not encouraged by the timeline and moving forward quickly on possible amendments.

Steve Roiphe said the question was how quickly a change might be proposed. Mr. Jordan said he expected it would take a year and a half. A brief discussion followed. Mr. Roiphe said there was a spirited discussion but he's not sure how quickly these things move. Bernie asked if both sides took part in the discussion. Cynthia said she wished the meeting were held at the town hall so it could be televised.

Contracts – Code Enforcement Officer – Jo moved to approve the contract with Michael Jordan with the official job description attached. Nathan 2nd. **Vote in favor was 5-0.** (note: the contract will be reprinted for signature at a later time)

Transfer Station Manager – Gary moved to approve a contract with William Fennelly. Bernie 2nd. **Vote in favor was 5-0.** Selectmen signed the contract.

Animal Control Officer – Jo moved to approve a contract with Michael Arsenault. Gary 2nd. **Vote in favor was 5-0.** Selectmen signed the contract.

Administrative Assistant – Jo moved to sign the acknowledgement with the Administrative Assistant regarding the updated pay rate, accumulated vacation and sick time. Nathan 2nd. **Vote in favor was 5-0.** Selectmen signed the acknowledgement.

Cynthia noted the employee contracts should have their current job descriptions attached.

Returnables – Stu noted that at the previous meeting the Grange was approved for the returnable proceeds for November, but had already been approved for the September proceeds. He said the original idea was to allow organizations to benefit once a year. Jo moved to rescind the November award to the Grange and to invite them to apply after January 1, 2014 and the board will reconsider for next year. Gary 2nd. **Vote in favor was 5-0.**

Time Warner – Stu said Shelly Winchenbach of Time Warner had forwarded the estimated build out cost for Seal Point Road and Lydia's Lane at approximately \$39,000, after a \$1,000 match from the cable company. He said he spoke with the Connect Me program about a possible grant, and where there are wireless companies offering broadband coverage in that area, it's unlikely that a grant would succeed. He said he

also spoke with Fairpoint, and they would not say whether the area is being wired for broadband access, though there is a lot of work going on in that area.

Cynthia suggested communicating with the folks who've requested an extension. Stu said he would like to draft up a letter for the Selectmen to sign.

Comprehensive Plan Update – Stu reported that the Comprehensive Plan Planning Committee held its organizational meeting and Fred Stocking was elected chair, Kathy Gaianguest the vice-chair, and the committee selected him to act as Secretary, though he does not have any vote.

Lamoine Quarterly – Stu reported the 1st two pages are drafted, and he would e-mail the entire paper to the board for approval next week. Cynthia asked if an article regarding a children's committee would be appropriate. Stu said he would like to have her send one.

Vacation Request – Stu requested the 1st week of July and July 12 and 15th for vacation days. There was no objection from the Board.

Other – Carol asked if someone wants to apply for a job currently held by a contracted town employee, can they request an interview. Stu said state law addresses the expectation of continuing employment for paid municipal workers.

On Line Policy – Cynthia said she is continuing work on the on-line policy.

Heating Fuel Bid – Stu reported Sullivan would like to join Hancock and Lamoine in the fuel bid process. He said it was Lamoine's turn this year to request the bids, and he has prepared the RFP for mailing. There was no objection.

State Budget – Stu reported the Legislature has approved a state budget which has about \$11,000 less in Municipal Revenue Sharing than originally budgeted. He said the Governor announced today that he intended to veto the budget, so he's not sure where things stand. He said the \$11,000 cut would not make a significant impact on the property tax rate.

Code Enforcement – Notice of Violation - Michael Jordan reported that he issued a notice of violation to a property owner next to his father's home after a mess of cars appeared overnight in the past few days. He said that appears to violate the junkyard laws. A brief explanation of the junkyard statutes followed.

Principal Retiring – Stu noted that Lamoine Consolidated School principal Ann McCann announced she is retiring. Selectmen signed a card thanking her for her service.

Audit Management Representation Letter – Jo moved to sign the letter to James Wadman, CPA acknowledging that they are conducting the annual audit. Cynthia 2nd.
Vote in favor was 5-0.

Returnables Request – Jo moved to award the November 2013 returnable proceeds to Lamoine Community Arts. Nathan 2nd. **Vote in favor was 5-0.**

Credit Cards – Property Tax – Stu reported that InforME is now offering a service to pay property taxes on line, similar to both Rapid Renewal and the Credit Card program where the tax payer is charged a 2.5% convenience fee. Selectmen had no objection to participating.

Next Meetings – Selectmen set the July meeting on the 11th as planned. The Board will meet on August 1st, noting that a warrant signing is likely to be required later in the month.

After discussion, the board agreed to meet at 6:00 PM on Tuesday, June 25, 2013 with the candidates for the Planning Board. A brief discussion followed on meeting formats, and no format was set. Cynthia said if she were sitting on a board, she would be insulted. Bernie said he envisioned it as a get to know you session.

Jo said she has a conflict on the 3rd Thursday of the month and requested the 2nd and 4th Thursdays be the meetings in September (September 12 and 26). There was no objection.

Executive Session – Jo moved to enter executive session pursuant to 1MRSA §405(6)(a) to conduct an employee review. Cynthia 2nd. **Vote in favor was 5-0.**
In at 8:45 PM. Out at 9:13 PM

Contract – Jo moved to sign a contract with Jennifer Kovacs as Town Clerk/Tax Collector. Gary 2nd. **Vote in favor was 5-0.** Selectmen signed the contract.

There being no further business, the meeting adjourned at 9:13 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen